

## Office of the Secretary of Labor

## § 90.2

2 weeks from the date of transmittal. The Farmers Home Administration will also be provided with copies of such adverse comments.

(4) In some instances, involving particularly complex situations, MA may request the Economic Development Administration (EDA) in the Department of Commerce, or other agencies to provide supplemental data. The number of such requests will depend upon the extent to which the DOL is capable of making resources available to EDA or other agencies to perform this function.

(5) When all the data have been assembled, a determination will be made by MA of whether the requested certifications may be certified or denied. FmHA will be notified in writing of the determination. If DOL's investigation indicates the need for additional information, all material will be returned to FmHA with instructions indicating the additional information needed to make a certification. Continuation of the 60-day time limit will begin again when the additional material is returned to Labor.

(6) All denials will be given additional consideration if the applicant or the Department of Agriculture provides additional evidence which they believe merits further consideration. If the DOL reaffirms its denial after a review of all available facts and such additional investigation as it may make, such denial shall be considered as final.

[40 FR 4394, Jan. 29, 1975]

### PART 90—CERTIFICATION OF ELIGIBILITY TO APPLY FOR WORKER ADJUSTMENT ASSISTANCE

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AUTHORITY: 19 U.S.C. 2320; Secretary's Order No. 3-81, 46 FR 31117.

SOURCE: 42 FR 32772, June 28, 1977, unless otherwise noted.

### Subpart A—General

#### § 90.1 Purpose.

The purpose of this part 90 is to set forth regulations relating to the responsibilities vested in the Secretary of Labor by the Trade Act of 1974 (Pub. L. 93-618), as amended, concerning petitions and determinations of eligibility to apply for worker adjustment assistance. Section 248 of the Act directs the Secretary of Labor to prescribe regulations which will implement the provisions relating to adjustment assistance for workers. This part will provide for the prompt and effective disposition of workers' petitions for certification of eligibility to apply for adjustment assistance.

[52 FR 23401, June 19, 1987]

#### § 90.2 Definitions.

As used in this part, the term:

*Act* means the Trade Act of 1974, Public Law 93-618, 88 Stat. 1978, 2011-2030 (19 U.S.C. 2271-2321, 2395), as amended.

*Appropriate subdivision* means an establishment in a multi-establishment firm which produces the domestic articles in question or a distinct part or section of an establishment (whether